



US Army Corps
of Engineers

Sacramento District
1325 J Street
Sacramento, CA 95814-2922

Public Notice

Public Notice Number: 200300394

Date: July 2, 2003

Comments Due: July 23, 2003

In reply, please refer to the Public Notice Number

TO WHOM IT MAY CONCERN:

SUBJECT: Application for a Department of the Army permit under authority of Section 404 of the Clean Water Act to discharge fill material into seasonal wetlands and a small unnamed intermittent stream which is tributary to Churn Creek, as shown in the attached drawings.

APPLICANT: Ted Peterson
P.O. Box 2176
Chico, CA 95927

LOCATION: The proposed Hilltop Retail Development project is located at Redding, Shasta County, California. Section 31, Township 32 North, Range 4 West. Latitude 40 35 35.7377
Longitude -122 21 18 15.36 UTM Zone 4494698.94 North, 639197.07 East.

PURPOSE: Construct a commercial development to meet the City of Redding's current need for additional retail commercial space.

PROJECT DESCRIPTION: The applicant proposes to construct a retail commercial development with associated parking and amenities. Project components will result in the filling of the 340 feet of the intermittent stream and adjacent wetlands for the total impact to waters of the United States of 0.044 acres. The applicant is proposing to mitigate project impacts to waters of the United States on a 1:1 basis through the purchase of off-site credits at a mitigation bank or through contributing to an in-lieu fee account to provide for future mitigation projects.

AREA DESCRIPTION: The project site is +/- 9 acres in size and currently supports a blue oak woodland with sparse tree cover. The western portion of the site has been cleared at some point in the past. The eastern portion of the site is more densely vegetated and includes dense patches of native shrubs and brush. The small intermittent stream and seasonal wetland are located in the western portion of the property. The stream channel flows to the southeast and enters an existing storm drain at the property boundary.

ADDITIONAL INFORMATION:

The latest published version of the National Register of Historic Places and its monthly supplements have been reviewed and there are no places either listed or recommended as eligible which would be affected. Presently unknown cultural resources may be located in the permit area.

This activity would not affect any threatened or endangered species or their critical habitat.

The District Engineer has made this determination based on information provided by the applicant and on the Corps' preliminary investigation.

Interested parties are invited to submit written comments on or before **July 23, 2003**. Personal information in comment letters is subject to release to the public through the Freedom of Information Act.

Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

If additional information is required, please contact Gateway Pacific Properties Ted Peterson, telephone 530-898-0640, or Mr. Matthew Kelley, at the letterhead address, telephone 530-223-9534.

Michael J. Conrad, Jr.
Colonel, US Army
District Engineer

Enclosures: 3 Drawings